

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**VIASAT, INC.,**

**Plaintiff,**

**vs.**

**KIOXIA CORPORATION and KIOXIA  
AMERICA, INC.,**

**Defendants.**

**Case No.: 6:21-cv-01231-ADA**

**JURY TRIAL DEMANDED**

**ORDER MODIFYING THE SCHEDULING ORDERS**

Before the Court is Plaintiff Viasat, Inc.'s and Defendants Kioxia Corporation and Kioxia America, Inc.'s Joint Motion Regarding Competing Proposals to Modify the Scheduling Orders. The Court, having considered the motion, **ORDERS** that certain deadlines are modified as noted below. No other deadlines in the Scheduling Orders are affected by this Order.

<b>Current Deadline</b>	<b>Updated Deadline</b>	<b>Event</b>
7/14/2023	9/22/2023	Deadline to complete deposition discovery
8/4/2023	10/12/2023	Deadline for Viasat to select one of the two representative products agreements that the Parties have agreed to. If Viasat selects the second representative product agreement option, then this is also the deadline for Viasat to provide final infringement contentions for accused products using C, D, and E controllers
8/11/2023	10/19/2023	Deadline to meet and confer to narrow the number of claims asserted and prior art references at issue
8/18/2023	10/12/2023	Deadline for Final Invalidity Contentions
8/25/2023	11/2/2023	Opening Expert Reports

9/29/2023	11/30/2023	Rebuttal Expert Reports
10/17/2023	12/21/2023	Close of Expert Discovery
11/3/2023	12/29/2023	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer
10/31/2023	1/18/2024	Dispositive motion deadline and <i>Daubert</i> motion deadline
11/14/2023	2/1/2024	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery, and deposition designations)
11/28/2023	2/15/2024	Serve objections to pretrial disclosures/rebuttal disclosures
8 weeks before trial	8 weeks before trial	Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and trial dates.
12/5/2023	2/22/2024	Serve objections to rebuttal disclosures; file Motions <i>in limine</i>
12/12/2023	2/29/2024	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery, and deposition designations); file oppositions to <i>Motions in limine</i>
12/19/2023	3/7/2024	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a>
12/19/2023	3/7/2024	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i>
12/27/2023	3/14/2024	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i>

1/2/2024	3/28/2024	Final Pretrial Conference. Held in person unless otherwise requested
1/22/2024	4/15/2024	Jury Selection/Trial

Signed this 17th day of July, 2023.

  
THE HONORABLE ALAN D ALBRIGHT